

**From:** cmayer  
**To:** Microsoft ATR  
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**Subject:** Microsoft Settlement

I think that the settlement won't work because you have an expiration date of 5 years (with a one time possible 2 year extension). In the technology market, R&D for a killer app could take that long. So basically you're giving MS permission to patch up their current product line, smile while they're working on the next version, then go back to the same old thing. They could too. Thanks to the "Product Activation" in the XP products (for which I, and many people I know refuse to buy or use XP products over) MS could, in 5-7 years, refuse to grant new hardware activation numbers to users not using the "new" Windows. New computer buyers (like today), would not get a choice and would be subject to whatever new scheme MS planned for keeping users. Perhaps it would just be things like Microsoft only digital media formats with rights management that, like the new "protected" CDs (defined as such only because of form, they break the standard), would not work on all machines.

In my opinion, digital rights control is the key to the next generation of computer monopoly. It should be closely monitored and regulated in the interest of the consumer. Personally, I believe that the prices demanded for software and other media should allow consumers to freely use it within reasonable bounds. Microsoft is trying to release several formats only playable in their, or compliant, players. Now that basic HTML browsing is pretty well established, audio and video will be the next area to look at, and MS is already heading there. Your settlement seems aimed mainly at older issues.

Microsoft continues it's trail in latching onto consumers in a way that they can't rid themselves entirely of it. Simply allowing OEMs or developers to customize Windows a little won't prevent MS from ingraining itself into consumers lives with formats or agreements that not only replace previously platform independent formats (MP3, MPEG, Realvideo), but also continually pour money into Microsoft's pockets.

I do, however, as computer support personnel, like the inclusion of opening up the APIs to allow for a standard network protocol and the like. What I would ask is that several industry-wide standards get put in place.

1. A fair (and I do mean fair as in to the normal user, not fair as in a CEO's dream) standard for software licensing that retail software must abide by. This would include restrictions on dongles, "activation" and the like. Perhaps the "professional level" of the software could dictate what copy protection schemes could or could not be used. I don't support piracy, that's not what I mean. It's more of a fear that my \$2000 computer and \$300 OS might all of a sudden be useless because MS for whatever reason wouldn't issue me a new key. Since Windows XP will pretty much be required in a couple of years for running any newer PC, I don't think it's entirely fair in the interest of keeping computers running and compatibility to have such a potentially finicky system. For a \$7000 3D rendering application, a dongle seems reasonable though.

2. A fair system for rights control (I think none is fair, since that's how things have been since audio recording came into being). Basically I'd like to see a regulation against reaming consumers that actually pay for things.

3. Price caps for software. Again, "professional" level ranking might be needed to control it. I think it's ridiculous that a Windows and Office XP license combined cost as much as decent business machine to run them on. If applications and operating systems cost less, perhaps more people could afford to use them. Or perhaps more people would be willing to legally use applications. Many companies seem to think that a \$100-\$200 stripped down version of their program is affordable for most people. This probably wouldn't work for every single app on the earth. It would be nice if companies would offer actually affordable versions of software, but they probably never will. For things like Windows though, which as assumed before is basically a necessity, the price shouldn't be able to just jump up to half the cost of a low end computer. What's to stop MS from charging \$500 or \$1000 the next time around? OEMs would pay the licensing fee, consumers would be forced to upgrade for certain things.

Basically, I don't think the settlement would do much in the long run...more needs to be done to protect the rights of the consumer. There needs to be a change in policy for digital media that actually helps the consumer rather than restrict them more. Since Microsoft is one of the worst offenders in the game of screwing customers over at the same time they make things "better", this would be a good time to institute new laws and policies for the entire industry.